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MAR 15 2006

IN THE UNITED STATES PATENT OFFICE

Patent Application Serial No.: 10/020,882

Our Ref: PT-1949001

CUSTOMER NO. 23607

Applicants: Dialysis Solutions Inc.

Agent: Neil H. Hughes, P. Eng.
c/o Ivor M. Hughes
Barrister & Solicitor
Patent & Trade Mark Agents
Suite 200,
175 Commerce Valley Dr. W.
Thornhill, Ontario.
L3T 7P6, CANADA

Title: Sterile Low Bicarbonate Dialysis Concentrate Solutions

Inventor: Sheldon Tobe

Examiner: John D. Pak

Group Art Unit: 1616

Due Date: March 24, 2006

No. of Pages including this sheet: 24

DELIVERED TO FACSIMILE NO. (571) 273-8300

March 15, 2006

Commissioner of Patents
United States Patent and Trademark Office
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Dear Sir:

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper:

- 1) Letter to Commissioner dated March 15, 2006
- 2) Copy of Notice of Non-Compliant Amendment (37 CFE 1.121)
- 3) Copy of Amended Applicant's Response to Official Action of August 11, 2005

is being facsimile transmitted to the United States Patent Office Facsimile
No. (571) 273-8300 on the date shown below.

NEIL H. HUGHES
Agent for Applicant

Signature: 

Date: March 15, 2006



Ivor M. Hughes

Barrister & Solicitor

*Patent & Trade Mark Agents
Canada, United States*

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MAR 15 2006

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Rick Tuzi*

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Francis Ng-Cheng-Hin*

Our Ref: PT-1949001

March 15, 2006

VIA FACSIMILE: (571-273-8300)

The Commissioner of Patents
United States Patent & Trademark Office
Customer Service Window, Mail Stop Amendment
Randolph Building
401 Dulany Street
Alexandria, VA 22314

**Attention: Ms. Anthony
Legal Instruments Examiner**

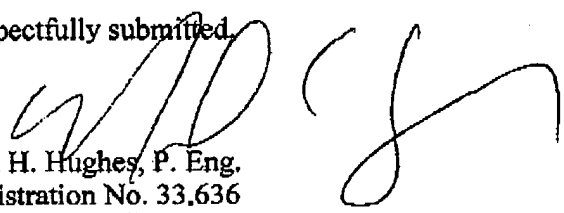
Dear Ms. Anthony:

**Re: United States Application No. 10/020,882
of Dialysis Solutions Inc.
for STERILE LOW BICARBONATE DIALYSIS CONCENTRATE SOLUTIONS
Due Date: March 24, 2006**

Pursuant to the Notice of Non-Compliant Amendment (37 CFR 1.121) dated February 24, 2006 a copy of which is enclosed for your reference, Applicant has included a complete listing of all claims with respect to the claims that have with withdrawn regarding Applicant's response to Official Action dated August 11, 2005 which was due for filing on February 11, 2006.

We thank the Commissioner for his cooperation regarding this matter.

Respectfully submitted,


Neil H. Hughes, P. Eng.
Registration No. 33,636
Agent for Applicant

NHH/lvp

Encl. Notice of Non-Compliant Amendment
Amended Applicant's Response to Examiner's Report

COPY

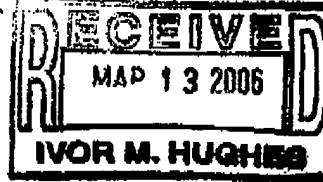
**UNITED STATES PATENT AND TRADEMARK OFFICE**

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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P.O. Box 1450
Alexandria, Virginia 22313-1450
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/020,882	12/19/2001	Sheldon Tobe	PT-1949001	8815

23607 7590 02/24/2006

IVOR M. HUGHES, BARRISTER & SOLICITOR,
PATENT & TRADEMARK AGENTS
175 COMMERCE VALLEY DRIVE WEST
SUITE 200
THORNHILL, ON L3T 7P6
CANADA



EXAMINER

PAK, JOHN D

ART UNIT

PAPER NUMBER

1416

DATE MAILED: 02/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Notice of Non-Compliant Amendment (37 CFR 1.121)

Application No.

Examiner

Applicant(s)

Art Unit

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

The amendment document filed on 3/9/06 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121 or 1.4. In order for the amendment document to be compliant, correction of the following item(s) is required.

THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

☐ 1. Amendments to the specification:

- ☐ A. Amended paragraph(s) do not include markings.
☐ B. New paragraph(s) should not be underlined.
☐ C. Other _____

☐ 2. Abstract:

- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
☐ B. Other _____

☐ 3. Amendments to the drawings:

- ☐ A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
☐ B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
☐ C. Other _____

☐ 4. Amendments to the claims:

- ☒ A. A complete listing of all of the claims is not present.
☒ B. The listing of claims does not include the text of all pending claims (including withdrawn claims).
☒ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
☐ E. Other: _____

☐ 5. The amendment is unsigned or not signed in accordance with 37 CFR 1.4.

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/ople/preognotice/officefiver.pdf>.

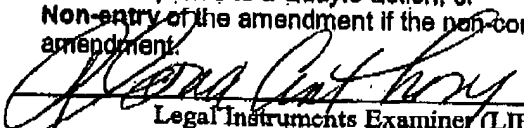
TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:

1. Applicant is given no new time period if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the entire corrected amendment must be resubmitted within the time period set forth in the final Office action.
2. Applicant is given one month, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the corrected section of the non-compliant amendment in compliance with 37 CFR 1.121 or 1.4, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a Quayle action.

Extensions of time are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action.

Failure to timely respond to this notice will result in:

- Abandonment of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action; or
 Non-entry of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.


 Legal Instruments Examiner (LIE)

571-272-0503
 Telephone No.

U.S. Patent and Trademark Office
 PTOL-324 (08-05)

Notice of Non-Compliant Amendment (37 CFR 1.121)

Part of Paper No.

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Suite 200
175 Commerce Valley Dr. W.
Thornhill, Ontario
Canada, L3T 7P6

Title: STERILE LOW BICARBONATE DIALYSIS CONCENTRATE
SOLUTIONS

Inventor: Sheldon Tobe

Filing Date: December 19, 2001

Examiner: John D. Pak

Group Art Unit: 1616

Extended Due Date: February 11, 2006

**RESPONSE TO OFFICIAL ACTION
OF AUGUST 11, 2005
AMENDMENTS AND REMARKS**

February 8, 2006

VIA COURIER

United States Patent and Trademark Office
Customer Service Window, Mail Stop Amendment
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Dear Sir:

In response to the outstanding Official Action dated August 11, 2005 and due for response November 11, 2005, Applicant encloses a Request for a three month extension of time with the fee for a large entity of \$1020.00 U.S. funds making this response due February 11, 2006. If there is any deficiency or surplusage of the fees enclosed for this Request for

- 2 -

Extension of Time, please obtain any such deficiency or credit the surplusage to Deposit Account 08-3255 and advise Applicants' Agent.